

Talent Fees

A question regarding "talent fees" under the Wage and Hour Act is becoming increasingly serious.

Several stations have been forced to pay out considerable sums in "back-pay" because they had calculated announcers' overtime on a salary basis rather than a gross earnings basis.

The Wage and Hour Division of the U. S. Department of Labor contends that the gross earnings basis is the proper basis for calculating overtime when talent fees are involved.

We contend that this is not always correct. We contend that an announcer while working on a commercial program is often, in fact, the employee of the sponsor. Hence, when the announcer is the employee of the sponsor, his talent fee should not be added to his station salary in determining his overtime rate.

The Wage and Hour people have advised us that they are willing to modify their opinion if we can convince them that they have erred. This we shall endeavor to do.

Meantime, it would be well for all stations to look at the facts in their own cases, to see whether their announcers' overtime should be based on station salary or gross earnings.

This whole problem disappears, if (1) the announcers involved are limited to a 40-hour week, or (2) the announcers can be classified as professional employees. In neither case need any overtime be paid, as far as the law goes.

With the growing shortage of manpower, however, a strict 40-hour week for all announcers is impractical. Many announcers can be classified as professional employees, but the \$200-a-month factor eliminates many others. For the definition of a professional employee, see the NAB Wage and Hour booklet, page 11.

The Wage and Hour people's "gross earnings" theory grows out of the extremely broad definition of the word "to employ" in the Wage and Hour Act itself. "To employ" is defined as "to suffer or permit to work." To the best of our knowledge there has been no comprehensive judicial interpretation of that definition. And so we must turn to what might be called the common standards for establishing the employer-employee relationship.

Who *in fact* hires and fires the man? Who pays him? Where does he work? Who directs or controls his work? Whose tools does he use? Who pays his social security taxes?

These are basic questions. In the complicated talent fee structure now existing in the broadcasting industry there are many others. Just for instance, is the station acting merely as the agent for talent or sponsor in establishing the relationship? Even if the station actually pays the talent, isn't the station just acting as paying agent for the sponsor?

Is the station paying the announcer his salary while he is working for a sponsor, or does he "mark out" that period?

To make all this a little more clear, let us cite some examples. A highly paid staff announcer at one of the large New York network stations is approached by an advertiser to handle a network commercial out of his regular hours as a staff announcer. The advertiser clearly is the employer, because he hires and fires directly, directs and controls the announcer's work and pays his social security tax.

In this case, then, any overtime the announcer put in on his staff job would be based on his staff salary and not on his gross earnings, because the network was not the employer of this announcer while he was working on the commercial program.

(This announcer probably would be classified as a professional employee anyway, but we cite the case as a good example of a clear employer-employee relationship between the advertiser and the announcer.)

On the other hand, take the case of an announcer who is doing a news broadcast in a small station. Without even knowing that announcer's name, an advertiser starts to sponsor that newscast. The advertiser is billed for \$100 time and \$10 talent. The talent fee is turned over to the announcer. The station retains complete direction and control over the announcer's work. The station hired him and, in fact, is free to fire him at any time.

In this case, the station appears clearly to be the employer and the announcer's overtime rate must be based on his staff salary plus his fee.

In between these two extremes are hundreds of variations. Probably you have some variation in your station. If you do, please send every detail to the NAB for our opinion. We are convinced that the sponsor is the employer in many cases. If the facts in your case do not warrant this opinion, we will be glad to suggest changes. Better safe than sorry.

We are in entire sympathy with AFRA's contention that the overtime provisions of AFRA contracts should be accepted as legal. These contracts provide that overtime should be based on staff salary and not on gross earnings. Those hours spent on "fee" jobs, under AFRA contracts, are marked out of working hours, in recognition of the principle that the announcer is not working for the station when he is handling a commercial program for a sponsor.

The Belo decision supplies the possibility of a partial but far from a whole answer to this problem. The Supreme Court stated that there was nothing in the Wage and Hour Act to prevent payment of *more* than time and one half for overtime.

And so, if an announcer works on a commercial *after the completion of his regular work week*, the fee he receives undoubtedly is greater than his regular overtime rate. Hence his fee would be ample compensation.

Don't get stuck for any undue back pay. If in doubt, write the NAB.

REPORTS UNTRUE THAT U. S. PLANS TO CLOSE STATIONS

Considerable anxiety was created within the industry by a news story to the effect that WPB had recommended to the Federal Communications Commission that "All radio stations, with the exception of a number of key stations scattered throughout the country, should shut down operations at midnight."

The story went on to the effect that suggestions had been drawn up by the Communications Branch of the WPB which called for the operation after midnight of certain large stations for emergency purposes only. It further said that "Small radio stations or chains

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Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Howard Frazier, *Director of Engineering*; Arthur C. Stringer, *Director of Promotion*

REPORTS UNTRUE THAT U. S. PLANS TO CLOSE STATIONS

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which are experiencing difficult times because of the war as a result of lower earnings should be taken off the air, the WPB believes. It contends that these stations should be permitted to cease operations voluntarily and to resume after the war."

Many stations have written to NAB, evidently thinking that some discussions were being carried on about the subject of compelling certain stations to cease operation as a means of conserving materials. Such is not the case and NAB has so advised those inquiring.

There have been almost continuous discussions between representatives of the industry, the FCC and the Communications Branch of the WPB on the subject of material conservation. At no time in these discussions has the slightest suggestion or intimation been made of any arbitrary or compulsory orders regarding operation. Some operators have been apprehensive as to the future and have made inquiries as to whether or not consideration is being given to the possibility of curtailing the hours of service required under their license and the effect which such curtailment might have upon the license. This gave rise to a discussion of the wisdom of permitting licensees to voluntarily curtail service.

FCC Chairman James Lawrence Fly at his press conference on Monday discussed this subject and observed that the newspaper accounts referred to "are markedly out of order."

Mr. Fly told the conference that "no measure has been suggested by anyone in the government or in the industry which is not aimed toward establishing stability and durability of broadcast service and coverage."

Mr. Fly said that no suggestion has been made which would result in any real impairment of the service being rendered to the public by radio or the service rendered to advertisers. "There have been a number of points raised," he said, "for consideration from different sources, including our own staff and including the staffs of the WPB, but all of those suggestions are aimed along constructive lines."

The various suggestions, Mr. Fly said, will be given study by the Domestic Broadcasting Committee of the Board of War Communications. That will be done promptly.

The survey of tubes, Mr. Fly said, was conducted by the Board and "I don't think that returns are complete yet and of course it is essential that the committee have the benefit of that survey since the tubes are almost undoubtedly at choke point. I have great confidence that we shall come off with some constructive results in terms of conservation and in the renewed assurances of continuity and stability. In light of the job which broadcasting has been doing for the war effort I don't think anyone will sit by and permit that service to be impaired."

WPB CONSOLIDATION

All wireless communication equipment requirements, civilian and military, have been consolidated under the direction of the Radio and Radar Branch of the Aircraft Production Division, the War Production Board announced.

Formerly there were two groups that covered this field. The Radio and Radar Branch handled military requirements and the Radio Section of the Communications Branch handled civilian

requirements. The latter section has been transferred to the Radio and Radar Branch and has been named the Civilian Radio Section.

Frank H. McIntosh, who was chief of the section under the Communications Branch, will continue to be chief under the Radio and Radar Branch. Ray C. Ellis, chief of the Radio and Radar Branch, will head the augmented group.

A. F. OF M.

In place of the special A. F. of M. bulletin which has been instituted to acquaint NAB members with developments in the musicians situation, there will be mailed to stations this week from New York a broadside containing some of the outstanding editorials inspired in the nation's press by the ban against recordings.

Thus you will be given an advance mailing of this broadside which will be widely distributed next week among heads of influential organizations, members of appropriate House and Senate Committees, Federal officials, newspaper columnists and radio commentators, chief editorial writers and other leaders in forming public opinion.

That the country is thoroughly aroused and overwhelmingly critical of the ban on recordings is definitely shown in the more than 9,000 press clippings already received at NAB New York office.

WAR DAMAGE INSURANCE

Broadcast studios, transmitter buildings and towers come under Occupancy Code 14, the War Damage Corporation stated this week in response to NAB's plea for classification under Occupancy Codes 4 and 5. All communications systems, it was said, are military objectives and consequently command rates appropriate to such a classification. Buildings and structures taking the rates provided for Occupancy Code 14, if of fire resistant construction according to fire insurance standards (classifiable under Construction Code 1), receive substantial credits in rates which bring the net rates down to the level of Occupancy Code 5.

The War Damage Corporation's letter of August 19 to NAB Counsel, Russell Place, reads as follows:

"Your letters of the 3rd of July and 7th of August were considered by the Directors of the War Damage Corporation at a recent meeting and Occupancy Code Classification No. 14, as provided under Regulations "A" of the War Damage Corporation, was re-affirmed.

"Communication systems, as such, have been considered as military objectives and consequently commanding the rates appropriate to such a classification. May we draw your attention to modifications which have been bulletined since July 1st as to broadcasting stations housed in office buildings or hotels, or any other class of business. The predominant occupancy by area governs the classification of tenants. Consequently, radio broadcasting equipment within a hotel or mercantile building would enjoy the rates as provided at Occupancy Code 04. However, where the predominant occupancy would be the broadcasting facility, the rates provided at Code 14 would apply, but in your connection we draw your attention to Memorandum No. 6 issued by the War Damage Corporation to its Fiduciary Agents on July 25th, 1942. Item 13 modifies the original rates as published in connection with Occupancy Code 14 to give effect to construction eligible for Construction Code No. 1 classification. For your reference I attach an excerpt from the Memorandum, quoting in detail the revised ruling.

"Consequently, it appears that the objectives sought through your letters of the 3rd of July and 7th of August have been achieved as outlined above."

EXCERPT FROM MEMORANDUM TO FIDUCIARY AGENTS NO. 6—JULY 25, 1942

"13. *Utility Properties.* The rates applicable to publicly or privately owned utilities as set forth in the Rate Schedule opposite Occupancy Code No. 14 do not provide any credits for fire resistive construction. Notwithstanding, utility properties classifiable under Construction Code No. 1 are eligible for the following rates, effective July 1, 1942:

Coinsurance and Annual Rates			
50%	80%	90%	100%
.20	.14	.13	.12"

Radio Classes Prove Worth

HUNDREDS MORE NEEDED

WHEN noses were counted last spring there were Radio Technician Training Courses in 46 states with a total enrollment in excess of 20,000.

More proposals from state schools are being OK'd currently and broadcast engineers are still assisting educators in the teaching job. Reasons why the Engineering, Science, Management, Defense Training-NAB radio program is so highly regarded by the military and industry are two: (1) it is effective; and (2) there is no loss in production while students learn.

The Big Need

The big need as stated a year ago, is for people grounded in the fundamentals of radio. That's exactly what students get when they complete Parts I and II of "Fundamentals of Radio." Then graduates can absorb specialized training. Many can pass a first class radiotelephone license examination with a few weeks of extra study.

News from the Teaching Front

Rutgers and New Jersey

Ordinarily it would be poor psychology to lead off with the account of what is undoubtedly the largest pre-service radio teaching job in the country. But this is being risked because the Nation, as a whole, made one big mistake in the beginning. It failed to make plans that were big enough. That applies to everything we did. So we do need hundreds of additional classes in "Fundamentals of Radio" . . . as many as qualified institutions have the facilities for teaching. And even then sufficient personnel will be lacking.

At any rate, here's the Rutgers and New Jersey story, in part, from M. A. Chaffee, associate director, Engineering Defense Training, Rutgers University:

"Rutgers University is very much alive to the old NAB course in radio. After enrolling, last January, over 2,000 in 'Fundamentals of Radio, I,' we started in June on 'Fundamentals of Radio, II,' with 1,000 students carried over from the first course. We could easily have taken 1,500 but were limited by Washington to 1,000. Part II is now operating very successfully with about 125 already enlisted in the Enlisted Reserve Corps of the U. S. Signal Corps. We helped Governors Island in obtaining these enlistments."

Between 1,500 and 3,000 men are now being recruited for "Fundamentals of Radio, I," with simultaneous enlistment in the Enlisted Reserve Corps of the U. S. Signal Corps. To save time, listeners to the radio recruiting announcements and programs are directed to write Rutgers direct.

All Stations Active

The recruiting campaign began over WOR on July 27. It was augmented on the thirtieth when Captain Kenneth A. Laplant, enlistment officer, Second Service Command Area, Governors Island, and Mr. Chaffee went on the air at 6:25 P. M.

As soon as possible thereafter, men from Mr. Chaffee's office made personal calls on WBAB, and WFPG, Atlantic City; WTNJ, Trenton; WAWZ, Zarephath; WCAP, Asbury Park; WSNJ, Bridgeton; WCAM, Camden; WAAT, and WHOM, Jersey City; WHBI, Newark; WPAT, Paterson; WBRB, Red Bank; and WTTM, Trenton, in order that the size and importance of the job might be explained in detail. Calls were preceded by a letter from the NAB War Committee.

In addition to the above, Rutgers has found time to give additional radio instruction. One hundred ninety-six out of 200 students in Civil Service Junior Engineering aids, from Philadelphia

Memo to Managers:

"1942 WAR IS RUN BY RADIO"

Urge Educators To Arrange More Radio Classes

INTERVIEW — TELEPHONE — TELEGRAPH !

It's not only how much we do but how quickly we do it that counts in winning this war.

Hundreds more radio classes are needed and needed without delay. Urge educators to send their proposals for more night classes and sections of "Fundamentals of Radio" to the ESMDT Director, U. S. Office of Education, Washington, D. C. Please make this your first order of business. We can't win with too little, too late.

Be sure to keep us advised. Course outlines available on application

Signal Depot, recently finished their course—a total of 576 hours of pre-radar. One hundred additional students started a similar course, 12 weeks of 48 hours per week, on August 3.

Louisville Activity

The University of Louisville and the Louisville broadcasters continue their cooperation in the radio technician training program. Three sections of "Fundamentals of Radio, II," began August 10. In September three classes of "Fundamentals of Radio, I," will be started. This is in addition to the six earlier sections.

Information came from W. E. Hudson, chief engineer WAVE, and industry engineering advisor for the program. All instructors for the courses are technical men from Stations WHAS and WAVE. While several instructors have been called to the armed forces, competent replacements from station staffs have so far been available. Mr. Hudson wrote that:

"Representatives of the University of Louisville are to be complimented on their efforts in cooperating and supervising to make this course a success."

Rockford Going Strong

WROK, Rockford, is again engaged in recruiting students for "Fundamentals of Radio" under direction of the University of Illinois Extension Division.

Classes begin September 14. The teaching staff includes two WROK engineers, Thomas C. Cameron and Maurice Nelson. Bill Traum, station promotion director, said that many of the students of the first "Fundamentals of Radio" course, last spring, are now in the Signal Corps.

Jamestown, N. Y.

Simon Goldman, manager, WJTN, has been in contact with Paul B. Orviss, director of the New York State Agricultural and Technical Institute at Alfred University, as to future plans with the ESMDT-NAB course. Alfred is now operating two courses in Jamestown and in many other cities in that general area of New York.

Mr. Orviss indicated that there would be marked expansion in the radio training program. As reported by Mr. Goldman, Director Orviss said, "The desire at the present time seems to have us expand the program as much as possible, both in the old areas and also in the new areas."

Manager Goldman wrote that the reactions by the students themselves are very fine and there have been vast benefits locally through the radio instruction.

Manhattan College

Several weeks ago, Brother Amandus Leo, Dean of Engineering, Manhattan College, NYC, visited NAB headquarters to learn whether the Signal Corps, in particular, had any additional constructive suggestions to make about "Fundamentals of Radio."

He was put on the telephone to the proper officer and learned that the big demand, as previously announced by NAB, is for men trained in the "Fundamentals of Radio." Without first acquiring fundamentals, it is impossible to train a man for real specialized communication tasks in any service. Manhattan is teaching both I and II of Fundamentals of Radio.

State of Wisconsin

Over a month ago, a report from Dean F. Ellis Johnson and A. G. Pulver, ESMDT Director, University of Wisconsin, and Ed Allen, WIBA, industry representative, stated that 12 "Fundamentals of Radio" classes with approximately 350 students in ten cities had been started since May; and that more would be started as soon as ok had been received from ESMDT, Washington. These cities are:

Appleton	Hurley	Wausau
Ashland	Marinette	Wis. Rapids
Eau Claire	Medford	Madison

Green Bay, St. Norbert's College

Classes, outside of Milwaukee, begun last March, produced over 500 graduates.

More Classes Needed

No present teaching activities conflict with the ESMDT-NAB program. Major Richard R. Kilgore, U. S. Army Signal Corps, Military Personnel Division, Washington, and Captain J. Elroy McCaw, Army Air Forces, War Department, Washington, have authorized us to say to you and all other interested persons that the need is for as many ESMDT-NAB radio classes as possible. This takes into consideration the various other radio training classes now formed or contemplated.

New Book Written for Course

Prentice-Hall, book publishers, 70 Fifth Avenue, New York City, has published "Fundamentals of Radio" for use with the course outline, "Fundamentals of Radio, I and II." The book was edited by Dr. W. L. Everitt, Professor of Electrical Engineering, Ohio State University, now on duty as Chief Consultant on Air Communication to the Chief Signal Officer of the Signal Corps. The authors are: Edward C. Jordan, Instructor in Electrical Engineering, Ohio State University; Paul H. Nelson, Assistant Professor of Electrical Engineering, The University of Connecticut; William Carl Osterbrock, Professor of Electrical Engineering, University of Cincinnati; Fred H. Pumphrey, Professor of Electrical Engineering, Rutgers University, now on leave as a Major in the military training branch of the Signal Corps; Lynne C. Smeby, former NAB Director of Engineering, now consultant on air communication for the Signal Corps, and associated with Dr. Everitt.

Programs for Victory

BING CROSBY AIDS BOND SALE AT KFBC

Uncle Sam was \$15,000 richer after a bond sale held in the studios of KFBC, Cheyenne, Wyo., August 11. Bing Crosby, Phil Silvers and Jimmy Van Heusen, in town for a USO Camp Show at Fort Francis E. Warren, visited the studios and conducted a whirl-wind bond selling campaign and an impromptu ad lib show. Many bonds were purchased in the offices of KFBC during the campaign and many others were ordered over the phone. A novel idea for the sale created tremendous interest as the largest bond purchaser, A. V. Tyrrell, local Chevrolet dealer, who purchased \$2,000 in bonds, was the winner of a song dedicated and sung by Bing Crosby.

William C. Grove, manager of KFBC, made arrangements for the program with A. E. Wilde, state administrator for the War Savings Staff, and Hy Blane, traveling USO Camp Show Representative. The affair was "MC'd" by Art Peterson, KFBC Production Manager.

KXOK PUTS SHOWMANSHIP IN DRIVE

KXOK, the St. Louis Star-Times and the Fanchon and Marco St. Louis Amusement Company chain of theatres, have joined forces in an all out drive to collect every spare ounce of rubber and scrap metal in Greater St. Louis, in direct response to the nation's needs, for the production of war material.

In addition to free admission to the thirty-one theatres to anyone bringing in scrap material, two live western Pinto horses, completely equipped, will be given away to the two boys or girls bringing in the largest amount of material.

In order to promote the campaign, horses completely equipped and ridden by western-costumed riders are touring the city, the thirty-one theatres are running screen trailers, KXOK is running interviews, spots and programs calling attention to the drive, and the Star-Times is playing the drive in the news columns.

All money received for salvage of the scrap metal and rubber will be turned over to the USO in St. Louis to be used for the purchase of needed furniture and equipment.

KGNC BOND-WAGON

KGNC, Amarillo, Texas, inaugurated, on August 11, the first of a weekly series of studio programs expressly designed to promote the sale of War Bonds, for which the station has been appointed issuing agent.

According to Raymond Hollingsworth, assistant manager, the program will continue to feature a completely new cast of popular entertainers and guest speakers each week. KGNC Bond-Wagon of the Air is broadcast 7:30-8:00 p. m.

Members of the station War Bond Department will be on hand to issue bonds to studio visitors who wish immediate purchases. Others are invited to phone their names and addresses.

M-3 IS BOND SALES OFFICE

A photograph arrived this morning of the WMBD Victory Tank. This is a reproduction of the M-3, commonly referred to as the "General Grant," and was built by E. B. Hulsebus and Wallace Nyberg, of the Home Building Service division, Peoples' Federal Savings and Loan Association of Peoria, issuing agents of war bonds and stamps for radio station WMBD. It looks like the real thing. The tank is insulated and air conditioned for use in winter and summer. The booth is open six days a week, 9 a. m. to 5:30 p. m. Various WMBD entertainers come to the Victory Tank at announced times.

For the first two weeks of the plan to sell bonds and stamps over the air the total sale was \$26,327.65. Since there are four special shows plugging the sale over WMBD, aside from booth sales, it is expected that the monthly total will exceed the \$50,000 mark.

WPAT SAYS "SWEET AND LOW"

Since a great many three-shift war workers are located in the territory served by WPAT, Paterson, N. J., Henry Miller, program director, is promoting the idea of keeping radio volume down at all times.

One of his announcements reads, "Maybe you like this program. We're glad if you do. But there may be a fellow trying to sleep near you, who has been working all night in a war plant. And he probably doesn't want to hear it. So keep your radio low, please."

READER'S DIGEST ARTICLE

The article, "Radio's Plug-Uglies," in the August issue of the *Reader's Digest* has been the subject of considerable correspondence between the stations and the NAB.

An effort is being made to obtain the early printing of a factual reply to the article. It seems to be agreed that the best answer to the charges and insinuations made in this article is a recitation of the facts regarding radio advertising and the results which it has produced. Word has come to NAB that several trade publications will shortly run articles responsive to the charges made in the *Reader's Digest* article.

NAB is following the situation very closely and will do all within its power to offset any misconceptions which the article may have created.

1942 PEABODY RADIO AWARDS

Meritorious public service by individual radio stations, regional and local, will this year be recognized in the George Foster Peabody radio awards.

This was decided at a meeting Thursday of a committee of the Board at the NAB offices. This meeting was attended by Edward Weeks, Boston, editor, *Atlantic Monthly*; Neville Miller, C. E. Arney, Jr., and Joseph L. Miller of NAB; John E. Drury, dean, Henry W. Grady School of Journalism, the University of Georgia.

December 15 was set as the closing date for this year's entries. Proper forms may be secured from either the NAB offices in Washington or from Dean Drury.

Last year the Peabody awards went primarily to programs. The year before stations and networks were recognized. For 1942 both programs and stations are to be eligible.

The Peabody awards, as originally set up, were designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to "perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University of Georgia, and friend of educational progress everywhere."

This original purpose will be borne in mind in this year's selections, but an effort will be made to narrow the bases of measurement, both in terms of stations and programs.

Awards will be made in at least six categories:

1. That program or series of programs inaugurated and broadcast during 1942 by a regional station which made an outstanding contribution to the welfare of the community the station serves.
2. That program or series of programs inaugurated and broadcast during 1942 by a local station which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.

The awards under reporting, drama, music and education may go to either a station or a network program.

TAX ADVERTISING

Any station knowing of a provision in a city charter permitting the city to use radio facilities in advertising water taxes, poll taxes, etc., when due, will kindly communicate with Radio Station WSYB, Rutland, Vermont.

SELECTIVE SERVICE 1-B OUT

Elimination of Class 1-B, the Selective Service designation for registrants considered fit for limited military service only, beginning August 20 was announced yesterday by National Headquarters, Selective Service System. Thereafter all registrants who are not totally disqualified will be reclassified in Class 1-A and the Army will decide, after induction, on their individual assignment to full or limited military service. Registrants found to be unsuited for any military service will be placed in Class IV-F.

THE ASSOCIATION OF WOMEN DIRECTORS

One of our most distinguished members is Alma Kitchell, known in nearly every household in America. Miss Kitchell has broadcast over NBC and the Blue Network for years, through her delightful song recitals and programs directed to women listeners. Her "Brief Case" and "Streamlined Journal" have made history in this field. One of the reasons Alma has made such a success has been that besides being a broadcaster, she is a mother and home maker who practices these arts conscientiously and consistently.

Miss Kitchell has made the great sacrifice to the war effort, through the enlistment of her son last spring. She wanted to do even more and was inspired to buy a stamp every day and put it aside for that son against the day of his return. Mrs. Henry Morgenthau, Jr., heard about it—and she told her Secretary of the Treasury husband. Both of them were delighted with this splendid thought that both embodied patriotism and thrift. In consequence, on Sept. 2nd, Alma will have a new thrill, for instead of interviewing a celebrity as she often does, she will be interviewed herself by Mrs. Morgenthau. The program will inaugurate a drive to inspire all American mothers of sons in our armed forces, to follow her example and get solidly behind the slogan of this campaign—

"A stamp every day
For the son who's away."

We hope that every woman director in the country will get behind this plan because it certainly appeals to all mothers and offers an opportunity to do a job for Uncle Sam and the cause of freedom.

PER-INQUIRY REQUESTS

The William S. L. K. Laboratories, Milwaukee, Wis., is seeking P-I business for their drug products.

The J. L. Stewart advertising agency, Chicago, is trying to place P-I deals for their client, an insurance company.

Again the Mendenhall Manufacturing Company of Mendenhall, Miss., is soliciting a P-I offer, this time for perfume.

Similar attempts have been reported of the Martin J. Pollak publishing firm for their *Soldier's, Sailor's and Air Force Souvenir Handybooks*, and of the Midwest Specialty Company, Omaha, Neb., for a *Sterling Silver Victory Ring*.

Stations are asked to continue reporting to the NAB all per-inquiry and free time offers.

BMI MEMBERSHIP

District Seven (Ohio-Kentucky) leads the list in percentage of stations which are BMI member.

BMI on August 1 had 788 members, 86.6 per cent of all operating stations. District 7 has 45 of its 46 operating stations in BMI. Other district percentages:

District	No. of Stations in BMI	Total Stations	Per Cent of Stations in BMI
1	53	59	89.8
2	62	75	82.7
3	45	49	91.8
4	83	89	93.3
5	67	77	87.0
6	47	56	83.9
7	45	46	97.8
8	40	46	87.0
9	47	59	79.7
10	48	55	87.3
11	28	34	82.4
12	26	32	81.3
13	51	57	89.5
14	34	42	81.0
15	33	35	94.3
16	44	49	89.8
17	35	50	70.0
	788	910	86.6

Note: Count includes 28 FM and short wave stations in BMI.

Included in count of stations not in BMI are 10 which according to our best information are presently in construction permit status, but which may have gone on the air.

NEW BMI CATALOGUE

BMI announces the acquisition of the performance rights in the catalogue of France Music, making available to BMI licensees, when records are so badly needed, upwards of one hundred excellent recorded titles by such artists as Sablon and Trenet, to which will be added many records of French derivation in the future. BMI will announce this acquisition in its next bulletin.

NAB OPPOSES TAX

On Tuesday, the NAB filed with the Senate Finance Committee its reply to the appearance of John B. Haggerty advocating a special tax on radio. Haggerty had inserted in the record an exploratory staff memorandum prepared for inter-office use by the Treasury in 1941, and which had been placed at the disposal of one or two members of the House Ways and Means Committee

when the 1941 Revenue Act was under consideration. That this memorandum does not reflect Treasury policy was made clear in a letter from Randolph E. Paul, General Counsel of the Treasury, entered in the record for August 13, 1942.

Also submitted for the record by Mr. Paul was a statement of the plan prepared jointly by the Treasury and the FCC, and submitted without recommendation as to its adoption. This plan was prepared pursuant to the Senate Finance Committee's request made to the Treasury in 1941 that they explore the possibilities of a tax on radio broadcasting.

The NAB's statement:

"The National Association of Broadcasters respectfully invites the attention of your Committee to the testimony and memoranda submitted to your Committee during its hearings on the Revenue Bill of 1941 (Hearings, pp. 726, 740, 741, 1476) and to the Committee on Ways and Means this year (Hearings, pp. 3298-3309), in opposition to the suggestion, which Mr. John B. Haggerty has again made, that a special tax be imposed upon the radio industry.

"The Association also desires, as a matter of record, to summarize briefly the conclusive replies to Mr. Haggerty's statements:

"(1) The Treasury has not recommended and is not recommending (jointly with the Federal Communications Commission, or otherwise) the adoption of a special tax upon the radio industry. (See letter of Randolph E. Paul, General Counsel, Treasury Department, to Honorable Walter F. George, dated August 13, 1942—Hearings before the Committee on Finance, Part 16 (unrevised), August 13, 1942, pp. 1996-1997).

"(2) The proposed tax is not supported by labor generally. Mr. W. C. Hushing, of the legislative committee of the American Federation of Labor; Mrs. Emily Holt, of the American Federation of Radio Artists; and Mr. Lawson Wimberly, of the International Brotherhood of Electrical Workers, are among the witnesses who appeared on behalf of labor before the Senate Committee on Finance and the Committee on Ways and Means in opposition to the proposition.

"(3) The proposed tax would seriously jeopardize the extraordinary and commendable contribution to the Nation's war effort which radio is now making.

"(4) There is no justification for the imposition of a discriminatory tax of this nature upon any industry, and most certainly not an industry engaged in the dissemination of facts and information.

"We trust that your Committee will again reject any proposal to impose a special tax upon the radio industry; and we are confident that your Committee will afford the industry and others interested an adequate opportunity to be heard in the event that any plan (such as the plan prepared jointly by the Federal Communications Commission and the Treasury Department and which was submitted *without recommendation as to its adoption* in the letter from Mr. Paul, dated August 13, 1942, above referred to) is under consideration by your Committee."

The American Federation of Labor, the International Brotherhood of Electrical Workers, and Morris Lynch in behalf of Radio Station WCFL also filed statements opposing a special radio tax.

FEDERAL LEGISLATION

H. R. 7441 (HOFFMAN, R.-MICH.) FREEDOM OF EXPRESSION—To make it unlawful for any person, firm, corporation, association, or group to, directly or indirectly, intentionally or willfully interfere in any way with the lawful production, transmission, transportation, dissemination, or movement of any music, musical program, or radio broadcast thereof from any point within the continental United States or any of its Territories or possessions or land under its control or jurisdiction, to any point lying beyond the State or Territorial line of the State, Territory, or possession where such music or musical program, entertainment or broadcast originates, is offered for transmission, or transportation, dissemination or movement, either over the air, the land, or the sea. Referred to the Committee on the Judiciary.

ILLINOIS

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams.....	18,694	85.9	16,058	11,974	90.2	10,806	2,837	79.4	2,253	3,883	77.2	2,999
Alexander.....	7,230	59.5	4,311	4,403	65.3	2,877	1,658	50.5	837	1,169	51.1	597
Bond.....	4,325	74.0	3,203	1,115	91.2	1,017	1,395	74.7	1,042	1,815	63.0	1,144
Boone.....	4,375	94.6	4,138	2,500	97.3	2,432	540	92.1	497	1,335	90.6	1,209
Brown.....	2,463	75.2	1,851	.....	.....	.....	1,158	79.9	925	1,305	71.0	926
Bureau.....	10,793	92.0	9,929	3,083	93.4	2,880	4,225	90.6	3,829	3,485	92.4	3,220
Calhoun.....	2,152	73.3	1,578	.....	.....	.....	752	76.9	578	1,400	71.4	1,000
Carroll.....	5,289	90.0	4,760	1,413	93.4	1,319	2,000	89.9	1,799	1,876	87.5	1,642
Cass.....	4,744	83.9	3,981	1,970	89.0	1,753	1,378	81.1	1,118	1,396	79.5	1,110
Champaign.....	19,443	94.0	18,271	11,355	96.1	10,913	3,953	90.6	3,583	4,135	91.3	3,775
Christian.....	11,060	86.9	9,607	4,261	90.5	3,857	3,680	83.1	3,060	3,119	86.2	2,690
Clark.....	5,553	77.5	4,304	1,668	87.3	1,457	1,231	82.3	1,013	2,654	69.1	1,834
Clay.....	5,421	81.2	4,400	1,606	90.3	1,450	1,447	80.9	1,171	2,368	75.1	1,779
Clinton.....	5,913	79.3	4,690	935	91.0	851	3,185	80.8	2,573	1,793	70.6	1,266
Coles.....	11,225	88.6	9,945	7,158	92.0	6,589	1,575	81.4	1,282	2,492	83.2	2,074
Cook.....	1,125,468	96.3	1,083,788	1,100,838	96.4	1,060,805	20,925	93.9	19,647	3,705	90.0	3,336
Crawford.....	6,267	79.6	4,991	1,313	93.0	1,221	2,622	80.4	2,108	2,332	71.3	1,662
Cumberland.....	3,291	81.9	2,696	.....	.....	.....	1,360	81.6	1,110	1,931	82.1	1,586
DeKalb.....	9,871	94.8	9,358	4,935	96.4	4,755	2,261	93.4	2,112	2,675	93.1	2,491
DeWitt.....	5,246	88.5	4,642	1,859	91.7	1,705	1,642	86.7	1,424	1,745	86.7	1,513
Douglas.....	5,073	87.4	4,432	882	92.0	811	2,399	87.5	2,099	1,792	85.0	1,522
DuPage.....	27,538	97.1	26,745	19,852	98.5	19,554	6,070	94.2	5,720	1,616	91.0	1,471
Edgar.....	7,292	86.3	6,298	2,893	90.3	2,612	1,747	84.3	1,472	2,652	83.5	2,214
Edwards.....	2,724	76.5	2,083	.....	.....	.....	1,562	80.7	1,261	1,162	70.8	822
Effingham.....	5,844	82.1	4,797	1,753	91.4	1,603	1,837	86.9	1,596	2,254	70.9	1,598
Fayette.....	7,811	78.2	6,103	1,599	91.4	1,462	2,604	81.7	2,129	3,608	69.6	2,512
Ford.....	4,380	93.2	4,081	962	96.2	925	1,733	92.7	1,607	1,685	91.9	1,549
Franklin.....	15,462	79.5	12,295	8,046	87.0	7,000	4,736	72.9	3,451	2,680	68.8	1,844
Fulton.....	13,248	86.6	11,475	3,531	93.5	3,302	5,702	85.2	4,856	4,015	82.6	3,317
Gallatin.....	3,123	70.9	2,213	.....	.....	.....	1,683	71.9	1,210	1,440	69.6	1,003
Greene.....	5,763	77.8	4,484	1,694	85.0	1,441	1,836	78.0	1,432	2,233	72.2	1,611
Grundy.....	5,115	93.1	4,760	1,758	95.9	1,687	1,895	91.4	1,733	1,462	91.6	1,340
Hamilton.....	3,782	69.7	2,635	800	90.6	725	555	64.0	355	2,427	64.1	1,555
Hancock.....	8,090	82.2	6,652	852	89.4	762	3,803	81.1	3,085	3,435	81.7	2,805
Hardin.....	2,024	67.4	1,364	.....	.....	.....	978	76.9	752	1,046	58.5	612
Henderson.....	2,595	81.4	2,111	.....	.....	.....	1,292	78.7	1,016	1,303	84.0	1,095
Henry.....	12,733	92.2	11,739	7,014	93.6	6,567	2,388	91.1	2,176	3,331	89.9	2,996
Iroquois.....	9,182	90.5	8,311	1,153	93.5	1,078	3,865	90.4	3,496	4,164	89.8	3,737
Jackson.....	10,543	78.3	8,261	5,194	84.2	4,375	2,653	77.1	2,046	2,696	68.3	1,840
Jasper.....	3,812	77.1	2,938	.....	.....	.....	1,376	82.7	1,138	2,436	73.9	1,800
Jefferson.....	9,857	80.1	7,899	4,445	87.7	3,896	1,889	78.9	1,491	3,523	71.3	2,512
Jersey.....	3,802	73.3	2,782	1,470	85.7	1,259	831	67.7	562	1,501	64.0	961
Jo Daviess.....	5,760	86.0	4,952	1,332	84.5	1,126	2,297	87.7	2,015	2,131	85.0	1,811
Johnson.....	2,930	66.4	1,947	.....	.....	.....	1,113	70.4	783	1,817	64.0	1,164
Kane.....	34,617	96.2	33,289	27,145	96.9	26,303	5,094	94.0	4,787	2,378	92.5	2,199
Kankakee.....	13,899	93.8	13,045	7,247	95.9	6,948	3,816	93.8	3,581	2,836	88.7	2,516
Kendall.....	3,053	92.9	2,837	.....	.....	.....	1,670	92.7	1,548	1,383	93.2	1,289
Knox.....	15,495	90.5	14,026	9,734	94.2	9,170	2,702	85.2	2,301	3,059	83.5	2,555
Lake.....	30,214	95.9	28,987	21,162	96.8	20,486	7,030	94.5	6,645	2,022	91.8	1,856
LaSalle.....	26,389	93.5	24,673	17,704	95.1	16,830	3,992	89.9	3,590	4,693	90.6	4,253
Lawrence.....	5,781	78.4	4,534	1,669	89.8	1,499	1,902	78.6	1,496	2,210	69.6	1,539
Lee.....	8,517	94.4	8,036	3,172	95.5	3,028	2,560	94.2	2,411	2,785	93.2	2,597
Livingston.....	10,004	92.1	9,217	2,098	93.8	1,969	4,010	91.3	3,663	3,896	92.0	3,585
Logan.....	7,144	90.4	6,457	2,818	92.1	2,596	2,011	87.9	1,768	2,315	90.4	2,093
McDonough.....	8,172	88.3	7,207	3,678	91.4	3,363	1,754	80.8	1,417	2,740	88.6	2,427
McHenry.....	10,330	94.9	9,806	3,812	97.6	3,719	3,632	94.6	3,436	2,886	91.9	2,651
McLean.....	20,967	92.9	19,482	11,549	94.8	10,944	4,596	90.1	4,140	4,822	91.2	4,398
Macon.....	24,349	92.9	22,627	17,298	94.5	16,352	4,166	90.5	3,771	2,885	86.8	2,504
Macoupin.....	13,896	83.1	11,554	6,004	89.9	5,400	4,450	82.4	3,665	3,442	72.3	2,489
Madison.....	40,882	88.9	36,340	29,269	91.0	26,630	8,015	88.0	7,050	3,598	73.9	2,660

ILLINOIS—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Marion.....	13,808	80.7	11,147	6,698	85.9	5,757	3,588	80.0	2,870	3,522	71.5	2,520
Marshall.....	3,794	88.8	3,370	.....	.....	.....	2,408	88.0	2,118	1,386	90.3	1,252
Mason.....	4,603	83.4	3,839	1,251	86.1	1,077	1,769	82.9	1,466	1,583	81.9	1,296
Massac.....	4,246	70.3	2,985	1,867	79.7	1,488	933	64.7	604	1,446	61.8	893
Menard.....	3,085	83.7	2,582	784	85.7	672	1,017	83.9	853	1,284	82.3	1,057
Mercer.....	5,156	88.0	4,540	825	91.1	752	2,003	86.3	1,729	2,328	88.5	2,059
Monroe.....	3,489	74.2	2,588	.....	.....	.....	1,954	81.3	1,588	1,535	65.2	1,000
Montgomery....	10,155	83.1	8,438	4,274	91.1	3,892	2,768	81.3	2,251	3,113	73.7	2,295
Morgan.....	9,251	85.7	7,932	4,646	91.0	4,227	2,097	83.2	1,744	2,508	78.2	1,961
Moultrie.....	3,827	83.0	3,177	1,000	89.0	890	1,214	84.2	1,022	1,613	78.4	1,265
Ogle.....	8,722	91.8	8,010	2,118	95.1	2,015	3,399	91.2	3,100	3,205	90.3	2,895
Peoria.....	43,105	93.2	40,198	31,735	94.1	29,853	8,427	92.5	7,792	2,943	86.8	2,553
Perry.....	6,536	77.7	5,075	3,209	86.8	2,785	1,562	77.2	1,206	1,765	61.4	1,084
Piatt.....	4,147	89.6	3,717	780	95.6	746	1,735	87.1	1,512	1,632	89.4	1,459
Pike.....	7,424	77.0	5,720	891	91.1	811	3,122	75.7	2,365	3,411	74.6	2,544
Pope.....	2,229	65.6	1,466	.....	.....	.....	756	73.9	559	1,473	61.6	907
Pulaski.....	4,273	60.0	2,563	.....	.....	.....	2,758	63.7	1,758	1,515	53.1	805
Putnam.....	1,518	84.2	1,278	.....	.....	.....	938	81.9	768	580	87.9	510
Randolph.....	8,260	78.9	6,528	2,510	91.3	2,293	3,305	79.4	2,625	2,445	65.8	1,610
Richland.....	4,971	81.1	4,034	2,360	91.4	2,158	680	76.3	519	1,931	70.3	1,357
Rock Island.....	31,725	94.8	30,074	26,055	95.9	24,976	3,507	91.9	3,225	2,163	86.6	1,873
St. Clair.....	46,985	88.0	41,356	30,936	90.5	28,012	13,013	86.1	11,202	3,036	70.6	2,142
Saline.....	10,850	80.0	8,682	4,937	86.2	4,255	3,398	78.1	2,653	2,515	70.5	1,774
Sangamon.....	33,207	91.5	30,404	21,585	94.0	20,289	7,394	87.3	6,455	4,228	86.6	3,660
Schuyler.....	3,275	80.3	2,629	.....	.....	.....	1,537	81.4	1,252	1,738	79.2	1,377
Scott.....	2,390	77.3	1,847	.....	.....	.....	1,325	78.0	1,033	1,065	76.4	814
Shelby.....	7,737	83.3	6,446	1,296	90.1	1,172	2,612	81.6	2,131	3,829	82.1	3,143
Stark.....	2,563	87.7	2,248	.....	.....	.....	1,368	89.1	1,219	1,195	86.1	1,029
Stephenson.....	11,669	92.8	10,823	6,422	95.4	6,128	2,416	88.4	2,137	2,831	90.4	2,558
Tazewell.....	16,260	92.4	15,026	8,530	94.8	8,086	5,174	90.5	4,681	2,556	88.4	2,259
Union.....	5,105	73.7	3,750	1,156	92.0	1,064	1,448	73.0	1,057	2,501	65.1	1,629
Vermilion.....	24,576	88.8	21,819	14,732	91.1	13,425	5,921	85.0	5,031	3,923	85.7	3,363
Wabash.....	3,936	83.9	3,305	2,098	89.0	1,868	666	77.6	517	1,172	78.5	920
Warren.....	6,252	89.7	5,609	2,747	91.7	2,519	1,263	87.2	1,102	2,242	88.7	1,988
Washington.....	4,491	71.7	3,225	.....	.....	.....	2,351	79.6	1,871	2,140	63.3	1,354
Wayne.....	6,107	73.9	4,512	1,163	89.3	1,039	1,203	72.4	871	3,741	69.6	2,602
White.....	5,691	77.7	4,423	1,306	86.2	1,126	2,001	75.3	1,506	2,384	75.1	1,791
Whiteside.....	12,314	92.3	11,363	6,477	95.4	6,177	2,807	88.8	2,491	3,030	89.0	2,695
Will.....	20,045	93.9	27,285	12,996	94.8	12,316	12,611	94.4	11,909	3,438	89.0	3,060
Williamson.....	14,858	81.1	12,063	8,088	87.6	7,083	3,942	77.3	3,046	2,828	68.1	1,934
Winnebago.....	34,818	95.3	33,194	25,570	96.1	24,577	6,895	94.1	6,485	2,353	90.6	2,132
Woodford.....	5,256	89.9	4,724	.....	.....	.....	3,093	90.7	2,805	2,163	88.7	1,919
State Total....	2,192,724	92.3	2,023,969	1,633,017	95.3	1,555,637	310,446	86.3	267,839	249,261	80.4	200,493

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Alton.....	Madison	8,663	92.3	7,992
Aurora.....	Kane	13,155	97.0	12,760
Belleville.....	St. Clair	8,563	93.5	8,006
Berwyn.....	Cook	13,901	99.1	13,774
Bloomington.....	McLean	9,678	94.5	9,143
Chicago.....	Cook	949,744	96.1	912,473
Cicero.....	Cook	17,918	97.9	17,547
Danville.....	Vermilion	11,248	91.4	10,281
Decatur.....	Macon	17,298	94.5	16,352
East St. Louis.....	St. Clair	21,148	89.1	18,847
Elgin.....	{Kane Cook	9,972	96.8	9,651
Evanston.....	Cook	18,150	98.1	17,805
Galesburg.....	Knox	8,784	94.2	8,273
Joliet.....	Will	11,538	94.8	10,934
Maywood.....	Cook	7,207	98.3	7,083

ILLINOIS—Continued

City	County	Units	% Radio	Radio Units
Moline.....	Rock Island	10,246	96.2	9,859
Oak Park.....	Cook	19,104	99.2	18,960
Peoria.....	Peoria	30,459	93.9	28,599
Quincy.....	Adams	11,974	90.2	10,806
Rockford.....	Winnebago	24,822	96.2	23,883
Rock Island.....	Rock Island	12,357	95.8	11,835
Springfield.....	Sangamon	21,585	94.0	20,289
Waukegan.....	Lake	9,501	96.7	9,184

PENNSYLVANIA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams.....	10,194	84.0	8,561	1,656	94.8	1,570	5,116	86.0	4,399	3,422	75.7	2,592
Allegheny.....	360,094	95.2	342,860	307,009	95.6	293,400	48,481	93.7	45,435	4,604	87.4	4,025
Armstrong.....	20,098	86.8	17,447	6,249	95.2	5,951	9,938	86.2	8,571	3,911	74.8	2,925
Beaver.....	38,832	91.9	35,681	25,915	93.2	24,154	10,049	91.5	9,198	2,868	81.2	2,329
Bedford.....	10,188	75.9	7,738	920	94.6	870	5,814	76.2	4,433	3,454	70.5	2,435
Berks.....	63,692	93.5	59,579	39,365	96.2	37,882	17,752	92.3	16,381	6,575	80.9	5,316
Blair.....	36,284	92.7	33,624	26,707	95.3	25,456	7,352	87.2	6,414	2,225	78.8	1,754
Bradford.....	13,936	84.3	11,741	4,441	93.5	4,152	4,324	82.8	3,580	5,171	77.5	4,009
Bucks.....	28,112	94.1	26,447	8,241	96.9	7,984	13,805	94.8	13,088	6,066	88.6	5,375
Butler.....	22,225	88.6	19,696	6,464	96.3	6,222	10,117	88.4	8,946	5,644	80.2	4,528
Cambria.....	48,512	89.5	43,438	27,538	92.9	25,589	17,829	87.2	15,554	3,145	73.0	2,295
Cameron.....	1,872	89.5	1,676	1,116	91.3	1,019	608	87.6	533	148	83.8	124
Carbon.....	14,780	94.1	13,903	9,246	96.8	8,955	4,781	91.1	4,356	753	78.7	592
Centre.....	13,271	87.1	11,564	4,386	96.5	4,232	6,516	83.8	5,463	2,369	78.9	1,869
Chester.....	33,046	90.4	29,885	13,797	94.1	12,989	12,099	89.9	10,874	7,150	84.2	6,022
Clarion.....	9,730	81.3	7,906	1,023	96.1	983	5,742	83.6	4,802	2,965	71.5	2,121
Clearfield.....	22,657	85.2	19,299	6,548	94.0	6,155	11,881	83.5	9,918	4,228	76.3	3,226
Clinton.....	8,904	88.0	7,835	3,890	93.7	3,643	4,074	85.7	3,492	940	74.5	700
Columbia.....	13,565	88.1	11,944	6,349	93.8	5,954	4,702	86.9	4,087	2,514	75.7	1,903
Crawford.....	19,966	87.8	17,530	7,912	94.1	7,443	5,786	90.5	5,238	6,268	77.4	4,849
Cumberland.....	20,419	90.4	18,439	10,820	94.4	10,211	6,499	89.1	5,790	3,100	78.6	2,438
Dauphin.....	46,572	94.4	43,978	32,959	96.3	31,739	11,100	92.6	10,275	2,513	78.2	1,964
Delaware.....	80,057	97.2	77,840	60,505	97.6	59,047	18,125	96.3	17,456	1,427	93.7	1,337
Elk.....	8,066	90.5	7,302	4,534	96.0	4,354	2,702	86.1	2,326	830	75.0	622
Erie.....	48,010	93.4	44,849	35,721	95.4	34,064	7,251	93.1	6,753	5,038	80.0	4,032
Fayette.....	47,902	86.4	41,407	12,957	92.4	11,976	30,910	85.3	26,378	4,035	75.7	3,053
Forest.....	1,558	79.2	1,234	.....	.....	.....	1,151	83.6	962	407	66.9	272
Franklin.....	17,766	84.2	14,972	8,029	94.1	7,554	5,392	79.8	4,303	4,345	71.7	3,115
Fulton.....	2,614	77.0	2,013	.....	.....	.....	942	82.0	773	1,672	74.1	1,240
Greene.....	10,944	80.8	8,846	1,447	94.3	1,364	6,174	83.2	5,136	3,323	70.6	2,346
Huntingdon.....	10,405	81.3	8,460	3,303	92.4	3,051	5,106	78.7	4,016	1,996	69.8	1,393
Indiana.....	19,221	84.8	16,298	4,853	95.6	4,641	9,923	84.3	8,369	4,445	74.0	3,288
Jefferson.....	13,571	85.5	11,603	5,399	92.8	5,008	5,141	83.0	4,267	3,031	76.8	2,328
Juniata.....	3,979	75.8	3,016	.....	.....	.....	2,357	80.0	1,885	1,622	69.8	1,131
Lackawanna.....	72,374	93.5	67,682	65,437	94.0	61,512	5,049	90.6	4,575	1,888	84.5	1,595
Lancaster.....	55,376	86.7	48,007	26,250	94.3	24,745	19,200	86.9	16,692	9,926	66.2	6,570
Lawrence.....	24,797	92.1	22,847	15,488	94.2	14,588	6,573	91.4	6,008	2,736	82.3	2,251
Lebanon.....	19,028	91.2	17,350	9,664	95.0	9,178	6,795	90.3	6,135	2,569	79.3	2,037
Lehigh.....	45,563	95.1	43,317	34,495	97.1	33,493	8,439	91.4	7,711	2,629	80.4	2,113
Luzerne.....	102,117	93.6	95,546	78,208	94.9	74,235	20,918	90.9	19,017	2,991	76.7	2,294
Lycoming.....	25,704	90.2	23,181	17,344	94.2	16,341	5,292	85.4	4,520	3,068	75.6	2,320
McKean.....	15,212	91.4	13,914	6,671	94.8	6,326	6,910	90.8	6,275	1,631	80.5	1,313
Mercer.....	25,771	91.6	23,612	15,229	95.7	14,568	5,875	90.3	5,306	4,667	80.1	3,738
Mifflin.....	10,908	84.6	9,234	4,457	93.3	4,159	5,135	83.5	4,289	1,316	59.7	786
Monroe.....	8,079	89.1	7,194	3,562	95.3	3,396	2,911	86.7	2,524	1,606	79.3	1,274
Montgomery.....	71,142	96.4	68,553	46,610	97.4	45,416	20,335	95.5	19,416	4,197	88.7	3,721
Montour.....	3,468	84.9	2,950	2,018	92.3	1,863	667	79.4	530	783	71.1	557
Northampton.....	43,312	94.8	41,060	31,382	96.3	30,219	8,709	92.7	8,071	3,221	86.0	2,770
Northumberland.....	31,632	90.8	28,732	18,325	94.4	17,292	11,074	88.2	9,772	2,233	74.7	1,668
Perry.....	6,208	82.0	5,093	.....	.....	.....	3,999	86.8	3,470	2,209	73.5	1,623

PENNSYLVANIA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Philadelphia.....	506,980	96.2	487,635	506,980	96.2	487,635	.....	.....	.....	.....	.....	.....
Pike.....	2,314	84.5	1,955	.....	.....	.....	1,732	87.3	1,511	582	76.2	444
Potter.....	5,068	79.7	4,038	895	92.6	828	2,438	79.9	1,947	1,735	72.8	1,263
Schuylkill.....	53,621	90.6	48,604	31,304	93.7	29,332	19,625	88.4	17,348	2,692	71.5	1,924
Snyder.....	5,348	79.8	4,269	865	95.0	821	2,593	82.6	2,143	1,890	69.1	1,305
Somerset.....	20,423	82.1	16,761	4,429	93.4	4,136	11,648	81.2	9,462	4,346	72.8	3,163
Sullivan.....	1,927	76.1	1,467	.....	.....	.....	1,168	77.5	906	759	73.9	561
Sasquehanna.....	9,025	82.9	7,480	1,828	93.3	1,705	3,574	86.0	3,072	3,623	74.6	2,703
Tioga.....	9,671	83.5	8,072	1,124	94.8	1,066	5,103	83.7	4,271	3,444	79.4	2,735
Union.....	4,909	87.4	4,292	1,129	94.8	1,071	2,631	87.2	2,294	1,149	80.7	927
Venango.....	16,277	88.0	14,335	8,456	93.8	7,935	5,087	86.9	4,420	2,734	72.4	1,980
Warren.....	11,105	86.6	9,628	4,295	95.6	4,105	4,556	86.4	3,937	2,254	70.4	1,586
Washington.....	52,333	89.7	46,949	22,756	94.2	21,436	24,662	88.1	21,737	4,915	76.8	3,776
Wayne.....	7,785	85.3	6,642	1,720	95.1	1,635	2,895	87.0	2,517	3,170	78.6	2,490
Westmoreland.....	74,215	90.0	67,467	37,581	94.6	35,566	30,984	88.4	27,379	5,650	80.0	4,522
Wyoming.....	4,538	81.9	3,714	.....	.....	.....	2,710	84.8	2,299	1,828	77.4	1,415
York.....	48,252	90.8	43,789	23,332	95.3	22,240	16,515	90.5	14,948	8,405	78.5	6,601
State Total....	2,515,524	92.4	2,323,980	1,711,133	95.5	1,634,454	595,341	88.7	527,953	209,050	77.3	161,573

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Aliquippa.....	Beaver	6,195	89.5	5,543
Allentown.....	Lehigh	25,320	97.0	24,560
Altoona.....	Blair	21,361	95.4	20,380
Bethlehem.....	{ Lehigh Northampton	14,898	96.5	14,377
Chester.....	Delaware	14,834	94.1	13,956
Easton.....	Northampton	9,383	95.9	8,999
Erie.....	Erie	30,721	95.9	29,460
Harrisburg.....	Dauphin	23,764	96.9	23,030
Haverford township ¹.....	.....	7,405	99.0	7,331
Hazleton.....	Luzerne	8,879	95.7	8,495
Johnstown.....	Cambria	16,305	93.0	15,170
Lancaster.....	Lancaster	16,955	94.3	15,984
Lebanon.....	Lebanon	7,384	94.7	6,993
Lower Marion township ¹.....	.....	9,714	98.6	9,580
McKeesport.....	Allegheny	14,271	94.8	13,530
New Castle.....	Lawrence	12,722	93.6	11,912
Norristown.....	Montgomery	8,421	96.8	8,148
Philadelphia.....	Philadelphia	506,980	96.2	487,635
Pittsburgh.....	Allegheny	175,163	95.2	166,761
Reading.....	Berks	29,798	95.8	28,534
Seranton.....	Lackawanna	35,631	95.1	33,895
Sharon.....	Mercer	6,561	97.4	6,389
Upper Darby township ¹.....	.....	16,093	99.0	15,930
Washington.....	Washington	6,993	94.3	6,593
Wilkes-Barre.....	Luzerne	20,361	94.9	19,330
Wilkinsburg.....	Allegheny	8,705	98.6	8,580
Williamsport.....	Lycoming	12,434	93.8	11,668
York.....	York	15,833	95.2	15,070

¹ Urban by special rule.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 24. They are subject to change.

Monday, August 24

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—
Modification of license, 1230 ke., 250 watts, unlimited.

Tuesday, August 25

Further Hearing

NEW—Air-Waves, Inc., Baton Rouge, La.—C. P., 1400 ke.,
250 watts, unlimited.

Thursday, August 27

Further Hearing

NEW—Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—
C. P., 1340 kc., 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- Edwin A. Kraft—Granted application for license (B-L-1691) to operate a radio station at Ketchikan at the location of former Station KGBU (which license expired without renewal), on 930 kc., 1 KW power, unlimited time; subject to conditions.
- National Broadcasting Co., Inc., New York City, N. Y.—Granted extension of authority (B1-FP-103) to transmit programs to Station CMX, Havana, Cuba, through the facilities of RCA Communications, Inc.
- WESX—North Shore Broadcasting Co., Salem, Mass.—Granted modification of license (B1-ML-1135) to move main studio from Salem to Marblehead, Mass., and granted petition for waiver of Rule 3.30 so as to permit announcement of station location as Salem.
- W39NY—City of New York Municipal Broadcasting System.—Granted request for extension of time to November 14, 1942, for completion of construction of FM station (B1-MPH-96).

DESIGNATED FOR HEARING

- National Broadcasting Co., Inc., area of Chicago, Ill.—Designated for hearing application for construction permit (B4-PRY-285) for new relay broadcast station.
- National Broadcasting Co., Inc., near Addison, Ill.—Designated for hearing application for construction permit (B4-PRY-282) for new relay broadcast station.
- Frontier Broadcasting Co., Cheyenne, Wyo.—Designated for hearing application for construction permit (B5-PRY-283) for new relay broadcast station.
- Frontier Broadcasting Co., Cheyenne, Wyo.—Designated for hearing application for construction permit (B5-PRE-430) for new relay broadcast station.
- WQAM—Miami Broadcasting Co., Miami, Fla.—Designated for hearing application for modification of construction permit (B3-MP-1543) for change in type of transmitter, approval of present antenna, and approval of present transmitter site.
- WHCU—Cornell University, Ithaca, N. Y.—Designated for hearing applications for construction permits (B1-P-3086 and B1-P-3318) to change facilities.
- KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Designated for hearing application for modification of construction permit (B5-MP-1617) for indefinite extension of completion date.

LICENSE RENEWALS

- KVAN—Vancouver Radio Corp., Vancouver, Wash.—Granted renewal of license for the period ending not later than August 1, 1944 (B5-R-1027).
- WTAQ—WHBY, Inc., Green Bay, Wisc.—Granted renewal of license for the period ending not later than October 1, 1944 (B4-R-607).
- Granted further extension of following licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than October 1, 1942:
- KABR, Aberdeen, S. D.; KBST, Big Springs, Tex.; KBWD, Brownwood, Tex.; KCMC, Texarkana, Tex.; KFEL, Denver, Colo.; KFJB, Marshalltown, Iowa; KFKA, Greeley, Colo.; KFPY, Spokane, Wash.; KFRO, Longview, Tex.; KGGF, Coffeyville, Kans.; KGIW, Alamosa, Colo.; KGKL, San Angelo, Tex.; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KMTR, Los Angeles, Calif.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KSEI, Pocatello, Idaho; KSWO, Lawton, Okla.; KTFI, Twin Falls, Idaho;

KUOA, Siloam Springs, Ark.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WADC, Tallmadge, Ohio; WBNX, New York, N. Y.; WBRB, Red Bank, N. J.; WCAX, Burlington, Vt.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WCOC, Meridian, Miss.; WCOP, Boston, Mass.; WFCI, Pawtucket, R. I.; WFPG, Atlantic City, N. J.; WGES, Chicago, Ill.; WSAR, Fall River, Mass.; WING, Dayton, Ohio; WMRO, Aurora, Ill.; WMUR, Manchester, N. H.; WNBZ, Saranac Lake, N. Y.; WOV and auxiliary, New York, N. Y.; WQBC, Vicksburg, Miss.; WSPB, Sarasota, Fla.; WSPD, Toledo, Ohio; WTJS, Jackson, Tenn.; WTSP, St. Petersburg, Fla.

MISCELLANEOUS

- WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Granted modification of construction permit as modified, for change in type of transmitter, change of frequency (B3-MP-1622).
- WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification of construction permit as modified, which authorized installation of directional antenna for night use, increase in night power, for extension of completion date from August 15 to October 15, 1942 (B3-MP-1613).
- KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit as modified, which authorized installation of directional antenna for day and night and increase in night power, for extension of completion date from August 16 to September 16, 1942 (B5-MP-1612).
- KGIW—E. L. Allen, East of Alamosa, Colo.—Granted license to cover construction permit for increase in power and installation of new transmitter (B5-L-1692).
- WSGN—The Birmingham News Co., Birmingham, Ala.—Granted license to cover construction permit for increase in power and changes in equipment (B3-L-1693).
- WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted license to cover construction permit for installation of new transmitter (B4-L-1686).
- WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y.—Granted license to cover construction permit as modified, which authorized construction of new broadcast station (B1-L-1690); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1423).
- WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted license to use old main transmitter as auxiliary transmitter for emergency use only (B4-L-1639).
- WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted license to use formerly licensed composite 250 watt transmitter as an auxiliary transmitter on 1190 kc., 250 watts, for auxiliary purposes only (B1-L-1684).
- WKBH—WKBH, Inc., La Crosse, Wis.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1424).
- WLAB—Larus and Brother Co., Inc., Richmond, Va.—Granted modification of construction permit which authorized construction of a new relay broadcast station, for changes in transmitting equipment and decrease in operating power from 100 watts to 31.4 watts (B2-MPRE-55).
- WGHB—The Tribune Company, Area of Tampa, Fla.—Upon request cancelled license for relay broadcast station (B3-LRY-229).
- Tidewater Broadcasting Corp., Norfolk, Va.—Adopted order dismissing without prejudice application for construction permit for new broadcast station (Docket No. 6162).
- Camden Radio, Inc., Camden, Ark.—Dismissed without prejudice application for construction permit for new broadcast station (B3-P-3494).
- WHKC-WCLE—United Broadcasting Co., Columbus, Ohio; Cleveland, Ohio.—Denied petitions filed pursuant to the provisions of the Memorandum Opinion of April 27, 1942, in re applications for construction permits (B2-P-2533 and B2-P-2834) to change facilities, and designated said applications for hearing.
- WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C.—Denied petition for partial grant of application to authorize only change in frequency at this time, and designated for hearing said application to change frequency from 1170 to 640 kc., increase power from 5 KW to 50 KW unlimited time with directional antenna (B3-P-3391).

WOKO—WOKO, Inc., Albany, N. Y.—Denied petition requesting that application be retained in the pending files; and designated for hearing said application to change facilities (B1-P-3238).

WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Dismissed without prejudice application for construction permit (B2-P-3227) to change frequency from 1530 kc., 50 KW, unlimited time, to 640 kc., unlimited time, with modifications in its directional antenna system.

WKRC—Cincinnati Times-Star Co., Cincinnati, Ohio.—Dismissed without prejudice application for construction permit (B2-P-3390) to change facilities from 550 kc., 1 KW night, 5 KW day, unlimited time, to 640 kc. with power of 50 KW, unlimited time, with new directional antenna system.

Granite District Radio Broadcasting Co., Murray, Utah.—Dismissed without prejudice application for construction permit for new standard broadcast station (Docket No. 6003).

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Denied (1) petition to reconsider and grant without hearing application for modification of construction permit (Docket 6245), and (2) the petition filed pursuant to the Memorandum Opinion of April 27, 1942; and amended the issues upon which the application will be heard.

WSAV—WSAV, Inc., Savannah, Ga.—Denied petition for grant of application for construction permit to change frequencies from 1340 to 1370 kc., increase power from 250 watts unlimited time to 1 KW unlimited time with directional antenna at night; and designated said application for hearing (B3-P-3453).

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Denied petition requesting authority to construct an antenna at a new site as proposed in applications for construction permit and modification of construction permit (Docket Nos. 5678 and 6107).

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Granted motion to dismiss without prejudice application for construction permit to operate on 1260 kc., 1 KW night, 5 KW day, directional antenna night, unlimited time (Docket 6303).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing from August 24 to September 24, 1942, in re application for modification of license (Docket 6216).

Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—Granted motion for continuance of hearing from August 27 to October 30, 1942, in re application for new station (Docket 6097).

WKBW—WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted motion to postpone hearing from September 10 to October 20, 1942, in re applications for renewal of licenses of WKBW and WGR (main and auxiliary) stations (Dockets Nos. 6324 and 6325).

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion for order to take depositions in re application for construction permit (Docket 6351).

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted petition to dismiss without prejudice application for modification of construction permit (Docket 6376).

WOV—Wodaam Corp., New York, N. Y.—Granted motion to dismiss without prejudice application for transfer of control from Arde Bulova and Harry D. Henshel (transferor) to Murray Mester and Meyer Mester (transferee) (Docket 6378).

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Granted motion to dismiss without prejudice application for modification of construction permit as modified (Docket 6380).

Air Waves, Inc., Baton Rouge, La.—Granted motion to withdraw without prejudice application for construction permit for new station (Docket 6155).

APPLICATIONS FILED AT FCC

590 Kilocycles

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Modification of construction permit (B3-P-2938 as modified) which authorized change in frequency, increase in power, move of transmitter, installation of directional antenna for night use and new transmitter, requesting extension of commencement and completion dates.

620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Involuntary transfer of control of licensee corporation from Thompson L. Guernsey to Eastland Broadcasting Co.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—License to cover construction permit (B5-P-3272) for move of transmitter and installation of new antenna.

1300 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—License to cover construction permit (B5-P-3030 as modified) which authorized increase in power and installation of directional antenna.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Authority to determine operating power by direct method.

1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—License to cover construction permit (B3-P-2788 as modified) which authorized installation of directional antenna for night use and increase in night power to 5 KW.

KTRH—KTRH Broadcasting Co., Houston, Texas.—Authority to determine operating power by direct method.

1450 Kilocycles

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—License to cover construction permit (B5-P-3472) for move of transmitter and studio.

MISCELLANEOUS APPLICATIONS

KAQY—Don Lee Broadcasting System, Portable-Mobile, Area of Los Angeles, Calif.—Modification of construction permit (B5-PRE-297 as modified) which authorized construction of new relay broadcast station for extension of commencement date from 2-28-42 to 8-27-42 and completion date from 8-27-42 to 1-23-43.

NEW—General Electric Co., San Francisco, Calif.—Construction permit for special relay broadcast station to be operated on 31220, 35620, 37020, 39260 kc., 75 watts and A3 Emission.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Bee-Dew Cosmetic Co., 703 East Forest Ave., Detroit, is charged in a complaint with misrepresentation. (4811)

L. L. Edwards, Shelbyville, Tenn., engaged in the sale and distribution of nut products and candy to jobbers and retail dealers, is charged in a complaint with the use of lottery methods in the sale of his products. (4797)

Fox Studios, formerly United Studios, and **Saul C. Fineman**, **Isla Fineman Lucas**, **Harry Becko**, **Howard Sheld**, **Harvey Grastey**, **Dick Sperling**, and **Nicholas Mock**, all of Boise, Idaho, are charged

in a complaint issued with misrepresentation in the sale and distribution of tinted or colored enlargements and miniatures of photographs. (4807)

Globe Cardboard Novelty Co., Inc., 515 Greenwich St., New York; **Globe Printing Co.**, 1023 Race St., Philadelphia, and **Morris Aaron and Louis Broudo**, as co-partners and officials of both companies, are charged in a complaint with manufacturing lottery devices which they sell and distribute to manufacturers of and dealers in various lines of merchandise. (4808)

Kaiden-Kazanjan Studios, Inc., Frances Kaiden and Aram Kazanjan, officials of the corporation and also trading individually as **Keystone News & Photo Service**, 21 West 46th St., New York, are charged in a complaint with misrepresentation. The complaint charges that to obtain negatives from which they produce and sell photographs and miniatures, the individual respondents have falsely represented that they conduct a news and photo service under the name of **Keystone News & Photo Service** and are in touch with and assist in handling various publicity features for the press. (4812)

M. J. Kellner Brokerage Company, Illinois Brokerage Company, and **O-K Sales Company**, Springfield, Ill., is charged in a complaint with violation of Section 2(c) of the Clayton Act, as amended by the Robinson-Patman Act. (4796)

J. Silverman & Associates, et al.—Questionnaires, falsely indicating that they are issued by branches of the United States Government and which are used by collection agencies to procure information of the whereabouts and employment of debtors, are the basis of two complaints. The requests for information bear a Washington, D. C., postmark, and replies, received in Washington, then are remailed to collection agencies in various cities. Communications and replies, resulting from the questionnaires, have been received by the Selective Service System of the United States and other Government divisions from persons who believed the queries were issued by these agencies.

Respondents named in the complaints are **Michel Lipman** and **Jack Silverman**, trading as **Chief Statistician** and as **J. Silverman & Associates**, 821 Market St., San Francisco, and **Leo Greenberg**, trading as **Bureau of Research, Reclassification Department**, 215 West Fifth Street, Los Angeles. **William Edgar Spicer**, whose office and place of business is at 302 Bond Building, Washington, D. C., is named as respondent in each complaint.

Michel Lipman, **Jack Silverman** and **Leo Greenberg** are all engaged in the business of selling printed mailing cards designed and intended to be used by collection agencies, merchants and others, to whom they are sold, in obtaining information concerning the purchasers' debtors.

The products of the San Francisco respondents are made up of units comprising two cards separated by a perforated line designed to enable the addressee of the cards to detach the "information" card, which is self-addressed to "Chief Statistician, Bond Building, Washington, D. C." The complete cards are addressed to the debtor at his last known address or to anyone thought to have information concerning him, by purchasers of the cards. The returned "information" cards then are relayed by the respondent **Spicer**, the complaints charge, to the respondents **Lipman** and **Silverman** in San Francisco or **Greenberg** in Los Angeles, who forward them to the original purchasers. (4809-4810)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Louis A. Walton Co., 407 South Market St., Chicago, **Kling Bros. & Co., Inc.**, 333 West Van Buren St., Chicago, and **Leopold Kling and Samuel Kling**, individually and as officers of both corporations, have been ordered to cease and desist from misrepresentation in the sale of men's clothing. (4528)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Cardinal Paint Corp., 4610 Geraldine Ave., St. Louis, Mo., engaged in the sale and distribution of paints, varnishes, enamels and stains, has stipulated to discontinue representing by the use of statements or labels on containers or in any other manner that its paint products contain lead or other ingredient in stated percentages or proportions unless the products do in fact contain such ingredients in the percentages or proportions represented; using any quantitative analysis on labels or other advertisements which does not truthfully and unambiguously designate all ingredients of every kind contained therein, together with the correct percentage or proportion of each such ingredients; and using labels bearing the statement "Net contents one gallon U. S. standard measure" on containers the actual net content of which is less than one gallon, or otherwise representing that the quantity of paint or other substance in any container is in excess of the true content. (3517)

Chamberlain Sales Corp., and **L. H. Chamberlain**, its president, Des Moines, Iowa, engaged in selling a hand lotion designated "Chamberlain's Lotion" has stipulated that it will cease representing that any test made to show that **Chamberlain's Lotion** flows more readily than other lotions indicates that it is superior to other lotions, or that other lotions containing **tragacanth gum** or other filler are sticky. (03035)

Fuller Blade Co., Inc., 294 Badger Ave., Newark, N. J., engaged under the trade name "Wonder Blade Co." in the wholesale distribution of razor blades, has stipulated to desist from use on containers or in printed or advertising matter, or in any other way, of any price marking or other means of purportedly representing the retail selling price of the products, when such price marking or purported selling price is fictitious, exaggerated, or in excess of the price for which the products are customarily sold in the usual course of retail trade. (3518)

Kennedy Car Liner & Bag Co., Shelbyville, Ind., engaged in the manufacture of food bags, bowl covers and similar items under the trade designation "Keko," has stipulated to desist from use of the word "odorless" or any other explicit or categorical term of similar implication as descriptive of food bags, bowl covers, or other articles of merchandise which are not in fact devoid of scent or odor. (3515)

Makasar Beauty Products Co., and as **Mme. Gensie Jenious & Co.**, 178 Bloomfield Ave., Montclair, N. J., engaged in selling hair preparations designated "Makasar Wonderful Pomade" and "Makasar Wonderful Pomade Double Strength," have stipulated to discontinue representing that either of the preparations has any therapeutic value in the treatment of conditions which cause falling hair. (03036)

PDQ Camera Co., 109 East 35th St., Chicago, engaged in selling a camera designated "PDQ Camera," has entered into a stipulation in which it agrees to discontinue representing that the camera is automatic; that gold-tone sepia photos can be made with it, or that the camera can be successfully used in photographing drivers or chauffeurs for procuring licenses. (03037)

Tex-O-Kan Flour Mills, doing business under the trade name of **Burrus Feed Mills**, Dallas, Tex., engaged in selling livestock and poultry feeds designated "Texo Poultry Fatner," "Texo Laying Mash," "Texo Calf Meal," "Texo Horse and Mule Feed," "Texo

Protein Supplement," "Texo 24% Protein Dairy Feed," "Texo All Mash Chick Starter," and "Texo Broiler Mash"; and Rowland Broiles, trading as Rowland Broiles Co., Fort Worth, Tex., engaged in conducting an advertising agency which disseminated advertisements for the above named products on behalf of Burrus Feed Mills, have stipulated to cease and desist from representing that the Texo Feeds bring greater profits at lower feeding costs; that the "Fatner" produces the most pounds at lowest costs; that the "Laying Mash" gives assurance of most eggs at lowest feeding cost; that the "Calf Meal" or "Horse and Mule Feed" assures the building of calves into a healthier herd or maintains horses and mules in a sleek or healthy condition; that the "Protein Dairy Feed" satisfies the demand for a peak milk production the year round; that the "All Mash Starter" produces better or healthier chicks at lower feed costs, without limiting such basis of comparison to natural as distinguished from other prepared feeds; or that the "Broiler Mash" makes choice, white, juicy or fine-flavored meats. (03038)

Dr. Henry Yee Herb Co., 707 J St., Sacramento, Calif., engaged in the sale and distribution of herbs offered as treatments for various diseases, has stipulated to cease representing by means of advertisements sent through the mail, radio broadcasts, or other media, that the herbs can be depended upon to purify the blood or impart normal healthy tone to the entire body, or that they constitute a competent treatment or effective remedy for nerve symptoms or pains, nervousness, neuritis, rheumatism, liver or kidney disorders, cancer of the bowels, heart trouble, anemia, or other ailments. (3516)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has ordered dismissal of its complaint against The Howell Co., St. Charles, Ill., manufacturer of household and office furniture. The complaint had alleged misrepresentation of a plain carbon steel tube product as a steel alloy containing chromium.